

**4376. Misbranding of "Anticephalalgine." U. S. \* \* \* v. James I. Johnson, a corporation. Plea of guilty. Judgment suspended on payment of costs. (F. & D. No. 6036. I. S. No. 9696-e.)**

On April 5, 1915, the United States attorney for the Eastern District of North Carolina, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against James I. Johnson, a corporation, Raleigh, N. C., alleging shipment by said company, in violation of the Food and Drugs Act, as amended, on or about January 17, 1913, from the State of North Carolina into the State of Maryland, of a quantity of "Anticephalalgine" which was misbranded. The article was labeled: (On bottle) "Anticephalalgine. The Great Headache and Neuralgia Remedy. This Preparation Relieves Quickly and Safely Neuralgia and Headache in all its forms. Contains 30 per cent Alcohol and 4 Grains Acetanilid to 1 Ounce. Directions for use: Dose—for adults, one tablespoonful in wineglass of water; for children 12 to 15 years old, two teaspoonfuls; over 5 years old, one teaspoonful. For ordinary attacks of headache, take one dose, and if not relieved in 30 minutes repeat the dose. For Migraine or Sick Headache, Nervous Headache, or sudden and acute attacks of Headache or Neuralgia, take 3 doses at intervals of one hour each, unless sooner relieved. For persistent headache, take a dose every 4 hours. Shake Well Before Using. Manufactured only by Jas. I. Johnson, Raleigh, N. C. Successor to Lee, Johnson & Co." (Blown in bottle) "Anticephalalgine. The Great Headache Cure." (On small carton) "Guaranteed by Jas. I. Johnson under the Pure Food and Drugs Act, June 30, 1906. Serial No. 2859. Anticephalalgine (Anti-cephalalgine). Not over 30 per cent Alcohol 4 Grs. Acetanilid to 1 Oz. The Great Headache and Neuralgia Remedy. This Scientific and Elegant Pharmaceutical Preparation will quickly and safely relieve Headache in all its forms. A trial only is sufficient to prove its Superiority over all other remedies. The formula is original and has met the approbation of many of our most Eminent Physicians, who prescribe it daily. Try a bottle and be convinced of its merits. Manufactured only by Jas. I. Johnson, Raleigh, N. C. (Trade-Mark Registered) Price, 50 Cents. (Testimonials) \* \* \* This is a harmless, safe, and very Efficient remedy for the relief of all kinds of Headache, such as Neuralgic, Periodic or Headaches peculiar to women, Migraine or Sick Headache, Headaches caused by rush of blood to the head, and derangements of the Stomach, over-indulgence in the use of Spirituous Liquors, Tobacco, Etc., Worry, Mental or Physical Fatigue, Anxiety, Grief, Etc. Anticephalalgine acts quickly and safely in exerting its influence in the above mentioned complaints without causing any unpleasant after effects. It is not a Cathartic. Manufactured only by Jas. I. Johnson, Raleigh, N. C. Anticephalalgine Contains No Morphine, No Chloral, No Cocaine, No Opiates or any other Unsafe Drug and May be taken with the assurance of no injurious effect, if used according to directions, for the relief of all diseases for which it is recommended. Jas. I. Johnson, Proprietor, Raleigh, N. C." (On large carton) "One Dozen 50 Cent Size. Anticephalalgine (Anti-cephalalgine). The Great Headache and Neuralgia Remedy. Manufactured only by Jas. I. Johnson, Raleigh, N. C." The circular or pamphlet accompanying the article contained, among other things, the following: "The Great Headache and Neuralgia Remedy Cures Quickly and Safely Headache in all its Various Forms \* \* \* It will Cure Neuralgia, Migraine or Sick Headache, Periodic Headaches of Women, and Headaches caused by excessive indulgence in Spirituous Liquors, Tobacco, etc. \* \* \* All kinds of headaches are quickly cured by Anticephalalgine without any unpleasant after effects."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume)-----	19.00
Sodium bromid (grams per 100 cc)-----	6.17
Sodium salicylate (gram per 100 cc)-----	0.86
Acetanilid (gram per 100 cc)-----	0.72
Caffein (gram per 100 cc)-----	0.63
Antipyrin (grams per 100 cc)-----	1.29
Coloring matter and sediment: Present.	

Misbranding of the article was alleged in the information for the reason that the following statements regarding the therapeutic or curative effects thereof, appearing on the label aforesaid, to wit, (On bottle) "The Great Headache \* \* \* Remedy \* \* \* This Preparation Relieves Quickly and Safely," (Blown in bottle) "The Great Headache Cure," (On large carton) "The Great Headache \* \* \* Remedy," (On small carton) "The Great Headache \* \* \* Remedy \* \* \* will quickly and safely relieve Headache in all its forms," (On back of carton) " \* \* \* acts quickly and safely \* \* \* without causing any unpleasant after effects," and included in the circular or pamphlet aforesaid, to wit, "The Great Headache \* \* \* Remedy Cures Quickly and Safely Headache in all its Various Forms \* \* \* All kinds of headache are quickly cured by Anticephalalgine without any unpleasant after effects," and borne upon the package thereof, " \* \* \* a preparation for the cure of all kinds of headache \* \* \*," "Its action is \* \* \* prompt and sure, and I have never known it to fail in a single instance to perfect a cure," " \* \* \* its certain curative effect," " \* \* \* a wonderful remedy for headache," " \* \* \* certain cure for headache in all its forms," said statements being incorporated in the circular or pamphlet aforesaid in manner and form as follows, to wit: "Raleigh, N. C., January 7, 1890. Mr. J. I. Johnson. Dear Sir: It gives me pleasure to state that I have frequently used your Anti-cephalalgine, a preparation for the cure of all kinds of headache, and have always obtained quick relief from its use. Very truly yours, J. N. Holding." "Durham, N. C., March 18, 1892. Mr. James I. Johnson. Dear Sir: Replying to your favor of the 18th inst., will say: Among the most prominent and popular sellers upon the market is Anticephalalgine. My sales of this remedy surpass all others, for headaches, and gives better satisfaction than any other headache cure I ever sold. Its action is safe, prompt and sure, and I have never known it to fail in a single instance to perfect a cure. Yours, &c., W. M. Yearby." "Greensboro, N. C., November 26, 1891. Mr. Jas. I. Johnson, Raleigh, N. C. My Dear Sir: I am glad to tell you that your Anticephalalgine is the finest seller among headache medicines, on account of its certain curative effect. Wishing you immense success. Yours respectfully, Geo. Fitzsimon, Druggist." "J. I. Johnson, Raleigh, N. C. Dear Sir: It gives me great pleasure to say that I have tried your Anticephalalgine and found it a wonderful remedy for headache. Yours truly, J. R. Williams, Treasurer C. F. & Y. V. R. R. Fayetteville, N. C." "Mr. J. I. Johnson.. Dear Sir: After handling all the most popular headache medicines, I am free to say that I consider Anticephalalgine the best remedy on the market, and I do not hesitate to recommend it as a safe and certain cure for headache in all its forms. Very truly yours, Robert Simpson, Druggist. Raleigh, N. C.," were false and fraudulent in that the same were applied to the article knowingly, and in reckless and wanton disregard of their truth or falsity, so as to represent falsely and fraudulently to the purchasers thereof, and create in the minds of purchasers thereof the impression and belief, that it was, in whole or in part, composed of, or con-

tained, ingredients or medicinal agents effective, among other things, as a cure for headache in all its various forms, and as a cure for all kinds of headache, when, in truth and in fact, it was not, in whole or in part, composed of, and did not contain, such ingredients or medicinal agents.

On February 8, 1916, the defendant company entered a plea of guilty to the information, and the court suspended judgment upon payment of the costs of the proceeding.

C. F. MARVIN, *Acting Secretary of Agriculture.*